

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY

&

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

MACA.No. 635 of 2006

OPMV.1409/2000 of MOTOR ACCIDENT CLAIMS TRIBUNAL, THRISSUR

APPELLANT/PETITIONER.

KHALEEL, S/O. KHALID, AINIKKAL HOUSE,
KUNDALIYOOR PO, THRISSUR.

BY ADV. SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE

RESPONDENTS: RESPONDENTS.

1. T.M.KHALIB, THOOPPIL,
KOCHANGADY, MARKET PO, MUVATTUPPUZHA.

2. PRADEEP, S/O.VASU, VADASSERY HOUSE,
KANDANISSERI PO, GURUVAYOOR, THRISSUR.

3. THE ORIENTAL INSURANCE CO.LTD.,
SHAN COMPLEX, 1ST FLOOR, 6/990B, BAZAR ROAD,
MATTANCHERRY, KOCHI 682 002.

BY ADV. SRI.VPK.PANICKER FOR R3

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION
ON 14/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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J.B.KOSHY & V.GIRI, JJ.

M.A.C.A.635 OF 2006

Dated 14th August, 2007

JUDGMENT

Koshy,J.

An 18 year old student met with a motor accident by which he sustained abrasion upper lip right, temporal linear fracture with diffuse cerebral oedema, temporal haematoma, black eye and cerebral contusion with subdural haematoma. Ext.A8 certificate was issued by the doctor assessing 12% disability. The Tribunal did not rely on the above certificate and found that the appellant has no permanent disability. He was seen by the Tribunal and Tribunal was of the opinion that Ext.A8 certificate only describes the condition of the claimant in 2002. But, Rs.10,000/= was awarded for future discomfort experienced by the claimant. Rs.8,000/= was awarded for loss of amenities and total compensation awarded was Rs.49,250/=. Considering the nature of injuries, we are of the view that just and reasonable compensation was awarded and no further enhancement is required.

The appeal is dismissed.

**J.B.KOSHY
JUDGE**

**V.GIRI
JUDGE**

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